

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ARMANDO SANCHEZ #83219,	§	
	§	
Plaintiff,	§	
	§	Case No. 6:24-cv-340-JDK-KNM
v.	§	
	§	
CHRIS VAUGHN, et al.,	§	
	§	
Defendants.	§	
	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff Armando Sanchez filed this lawsuit on September 16, 2024. The case was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for disposition. After providing an opportunity for Plaintiff to submit a completed application to proceed in forma pauperis together with a certified data sheet, the Magistrate Judge issued a Report recommending that the complaint be dismissed without prejudice for failure to prosecute due to Plaintiff's lack of compliance. Docket No. 10. No written objections have been filed. The Court mailed the Report to Plaintiff, return receipt requested, and the Report was returned undeliverable with the notation "refused." Docket No. 11.


This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law.

Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, no objections were filed. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and Recommendations, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 10) as the findings of this Court. It is therefore **ORDERED** that this case is **DISMISSED** without prejudice for failure to prosecute. Fed. R. Civ. P. 41(b).

So **ORDERED** and **SIGNED** this 28th day of January, 2025.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE